

MR3721-2

Serial Number: 10/713,047

Response to Office Action dated 26 September 2006

RECEIVED
CENTRAL FAX CENTER

MAY 23 2007

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 26 September 2007. Responsive to the Final Office Action, Independent Claim 21 and Claim 35 have been amended to clarify the combination of elements that form the invention of the subject Patent Application. Additionally, Claims 25-26 have been canceled. Claims 1-10 were cancelled by a previous Amendment.

In the Office Action the Examiner noted a typographical error in the Amendment. Specifically, the canceled Claims in the previous Amendment were cited as "Claims 10-20" instead of Claims "1-20". Accordingly, the recitation of canceled claims has been amended to reflect the correct numbers of canceled Claims.

The Examiner also rejected Claims 21-32, 34-35, and 37-38 under 35 U.S.C. §103(a) as being unpatentable over Lehtonen (U.S. Patent Application Publication No. 2001/0049262) in view of Hahn (U.S. Patent No. 6,230,029). Claims 33-36 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Lehtonen in view of Hahn and further in view of Reshefsky (U.S. Patent No. 6,873,862).

Prior to discussing the prior art relied upon by the Examiner in making the rejections, it is believed beneficial to first briefly describe the Applicant's

MR3721-2

Serial Number: 10/713,047

Response to Office Action dated 26 September 2006

invention in light of the amended Claims, the Specification, and the Drawings.

The Claims now more clearly recite the combination of elements which provide the invention of the subject Patent Application with many advantages over the prior art.

Among the features of Applicant's mobile storage device are: a memory control module (21) being connected to a memory device. Further the storage device includes a MP3 processing module (22). The processing module comprises both a decoding and encoding chip for encoding and decoding voice signals from and into MP3 digital data in the memory device (211) respectively. A Bluetooth earphone module (23) is electrically connected to the memory control module (21) and MP3 processing module (23), and is adaptively attachable to the mobile storage device for establishing wireless transmission of digital data as well as adaptively detachable for disabling wireless transmission. An electronic control switch (24) is electrically connected to the Bluetooth earphone module (23), the MP3 processing module (22), an earphone (15) and a microphone (16). The control switch automatically connects the earphone to the MP3 processing module or the earphone and the microphone to the Bluetooth earphone module.

It is respectfully submitted that Lehtonen discloses a headset comprising a mobile station (22) and a head set (21) including an electronics module (27). The electronics module includes a processing unit, memory, bluetooth transceiver, and MP3 player. Note, however, that Lehtonen's MP3 player (which Applicant

MR3721-2

Serial Number: 10/713,047

Response to Office Action dated 26 September 2006

equated to the MP3 processing module of the instant invention) does not include an “..encoding chip for encoding a voice signal into an MP3 digital data to be stored in the memory device,” as recited in newly amended Independent claim 21. Lehtonen’s hands free device solely enables a user to talk into a microphone attached to the headset, yet there is no capability for storage of speech (See paragraph [0045]). At best, Lehtonen prescribes the use of an A/D converter for converting an audio signal coming from a microphone into digital form (to communicate with mobile telephone 22) (See paragraph [0031]). Conversely, Applicant’s mobile storage device is versatile in that it not only enables a user to play music as well as speak into the microphone- it further has the capability of recording voice (*inter alia*).

Hahn does not overcome the deficiencies of Lehtonen. Hahn discloses a wireless headset module (10) comprising an ear piece (13) being connected to one end of a flexible ear hook (12). Hahn’s wireless system, like that of Lehtonen, merely enables a user to speak into a microphone yet does not provide the functionality of recording speech, as cited in Independent Claim 21. Further as Hahn is solely adapted for being used with mobile phones, it clearly teaches away from the versatility of use as described in the Subject Application.

Reshefsky does not overcome the deficiencies of either Lehtonen or Hahn. Reshefsky discloses a dual wireless headphone (10) which allows for connection to either a cellular phone (40) or audio device (50). Yet Reshefsky

MR3721-2

Serial Number: 10/713,047

Response to Office Action dated 26 September 2006

fails to disclose the use of "a Bluetooth earphone module" for "establishing wireless transmission" at all. Further, like Lehtonen and Hahn, fails to disclose an MP3 processing module comprising "..an encoding chip for encoding a voice signal into MP3 digital data to be stored in the memory device."

Thus, as neither Lehtonen, Hahn, nor Reshefsky suggest or disclose the unique combination of elements that form the subject invention, they are not believed to make obvious the invention. Thus, it is believed that Independent Claim 21 is now allowable. Further, it is believed that dependent Claims 22-24 and 27-38 are allowable for at least the same reasons as the Claims upon which they depend.

In view of the foregoing amendments and remarks, Applicant believes that the subject Patent Application is now in condition for allowance, and such action is respectfully requested.

If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

Morton J. Rosenberg
Morton J. Rosenberg
Registration No.: 26,049
Dated: 23 May 2007

MR3721-2

Serial Number: 10/713,047

Response to Office Action dated 26 September 2006

RECEIVED
CENTRAL FAX CENTER

MAY 23 2007

Rosenberg, Klein & Lee
3458 Ellicott Center Dr.
Suite 101
Ellicott City, MD 21043
(410) 465-6678
Customer No.: 04586

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Art Unit #2618, 571-273-8300, on the date shown below.

For: ROSENBERG, KLEIN & LEE

Morton J. Rosenberg
Morton J. Rosenberg

23 May 2007
Date: